



1731 \$  
#413M  
1-21-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Group Art Unit 1731

In re Patent Application of:

Michael J. Bricco, et al.

Application No.: 10/027,507

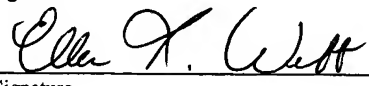
Confirmation No.: 2077

Filed: December 21, 2001

Examiner: Peter Chin

Title: "METHOD AND APPARATUS FOR  
FORMING A PAPER OR TISSUE WEB"

I, Ellen R. Webb, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on the date of my signature.

  
Signature

January 6, 2003  
Date of Signature


RECEIVED  
JAN 16 2003  
TECHNOLOGY CENTER 1700

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith is a Response to the Restriction Requirement dated November 6, 2003 for the above-identified application. Applicant claims small entity status. Applicant respectfully requests a one-month extension of time to file this response. Our check in the amount of \$55 is enclosed in payment of the extension fee. In the event that additional fees are due, please charge Deposit Account No. 13-3080. Please charge or credit Deposit Account No. 13-3080 with any shortage or overpayment of the fees associated with this communication.

Respectfully submitted,

  
Christopher B. Austin  
Reg. No. 41,592

File No. 093395-9001-00

Michael Best & Friedrich LLP  
100 East Wisconsin Avenue  
Suite 3300  
Milwaukee, WI 53202-4108  
(414) 271-6560



I, Ellen R. Webb, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on the date of my signature.

Ellen R. Webb  
Signature

January 6, 2003  
Date of Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Bricco et al.	)	Group Art Unit: 1731
	)	
Serial No.: 10/027,507	)	Examiner: Peter Chin
	)	
Filed: December 21, 2001	)	Date: January 6, 2003
	)	
For: "METHOD AND APPARATUS FOR FORMING A PAPER OR TISSUE WEB"	)	Our Ref: 093395-9001
	)	

Assistant Commissioner for Patents  
Washington, D.C., 20231

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

This paper is filed in response to the Office action mailed November 6, 2002 in the above-referenced patent application.

On page 2 of the Office Action, the Applicants are required to elect one of three inventions identified by the Examiner. The Applicants hereby elect, without traverse, Group I (claims 1-56 and 107-114) for further prosecution in the present application.

Applicants are also required to elect one of two numbered species identified by the Examiner on page 3, paragraph 5 of the Office action. Applicants hereby elect, without traverse, Species No. 1 (claims 1-2, 4-15, 18-29 and 107-114) directed toward a vibrational device with one vibration-inducing mechanism or a method of transferring one vibrational force. In this regard, the Applicant notes that this restriction is insufficiently specific with regard to the subject matter of the restriction. Specifically, the Applicant respectfully submits that the restriction to Species I (i.e., species having one vibrational device) does not limit the scope of the elected

RECEIVED  
JAN 16 2003  
TECHNOLOGY CENTER 1700

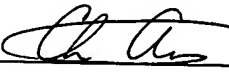
claims only to devices and methods in which a single vibrational device is employed. Instead, and in light of the description of Species II provided by the Examiner, Species I is limited to devices and methods employing at least one vibrational device, while Species II is limited to devices and methods employing at least two vibrational devices that are operable at different frequencies and amplitudes. In other words, because the claims of Species I do not refer to one (and only one) vibrational device, the claims of Species I cover devices and methods in which a single vibrational device is employed and in which more than one vibrational device is employed.

On page 3 of the Office Action, the Applicants are further required to elect one of three species of claims that read on either Figure 5a, Figure 5b, or Figure 5d. Applicants hereby elect, with traverse, the species of claims that read on Figure 5a (Claims 1-2, 4-14, 18-29 and 107-114). In this regard, the Applicants respectfully request reconsideration of at least the restriction between the species identified in Figure 5d and those of Figures 5a and 5b. The vibrational device illustrated in Figure 5d is an alternative vibrational device to those illustrated in Figures 5a and 5b, and is interchangeable with those employed in Figures 5a and 5b. Accordingly, general structure and manner of operation disclosed with respect to the systems illustrated in Figs. 5a and 5b are substantially the same regardless of whether the vibrational devices employed in the systems are pneumatic, hydraulic, electro-magnetic, or otherwise.

Also on page 3 of the Office Action, the Applicants are still further required to elect one of five species of claims that read on Figure 8a, Figure 8b, Figure 8c, Figure 8d, or Figure 8e. Applicants hereby elect, with traverse, the species identified by Figure 8e (Claims 1-2, 4-15, 18-27, 107-108, 110-111).

Early, favorable consideration of the application is respectfully requested. The Examiner is invited to contact the undersigned if he believes it would be helpful.

Respectfully submitted,

By   
Christopher B. Austin  
Registration No. 41,592

Michael Best & Friedrich LLP  
100 East Wisconsin Avenue  
Milwaukee, WI 53202  
(414) 271-6560